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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

MARIA CARMEN ANGUIANO SOTO, an
individual,

Plaintiff,

v.

SAM'S WEST, INC. dba LAS VEGAS
SAM'S CLUB #4974; WALMART, INC;
WAL-MART STORES, INC.; DOE
PROPERTY OWNER I-V; ROE PROPERTY
OWNER I-V; DOE JANITORIAL
EMPLOYEE I-V; ROE JANITORIAL
COMPANY I-V; ROE MAINTENANCE
COMPANY I-V; ROE PROPERTY
MANAGEMENT COMPANY IV; DOE
MAINTENANCE WORKER I-V; DOE
PROPERTY MANAGER I-V; DOE
EMPLOYEE I-V; ROE EMPLOYER I-V; and
ROE COMPANIES I-V, inclusive, jointly and
severally,

Defendants.

Case No.: 2:24-cv-01714-APG-EJY

**STIPULATION AND ORDER TO
EXTEND DISCOVERY DEADLINES**

[FIRST REQUEST]

**SUBMITTED IN COMPLIANCE
WITH LR26-1(e)**

The parties, by and through their counsel, and through their respective counsel, and pursuant to Local Rule 26-3, stipulate to modify their discovery plan as follows:

1. Plaintiff filed his Complaint in the Eighth Judicial District Court for Clark County, Nevada on May 28, 2024.

2. Defendants removed said case to the U.S. District Court for the District of Nevada on September 24, 2024 (ECF No. 1).

3. The parties held their FRCP 26(f) conference on September 13, 2024 (ECF No. 3), and in compliance with FRCP 26(f) and LR 26-1(e) filed their initial Stipulated Discovery Plan and Scheduling Order on November 14, 2024 (ECF No. 7).

4. On November 15, 2024, the Magistrate Judge established a stipulated discovery plan (ECF No. 8).

5. In compliance with Local Rule 26-3, the parties provide the following information regarding the discovery status:

a. Discovery Completed, per LR 26-3(a):

- The parties have exchanged initial disclosures, and supplements, of witnesses and documents, pursuant to Fed.R.Civ.P.26(a).
- Defendants have received signed medical authorizations, and have begun the process of independently obtaining Plaintiff's medical records arising out of the subject incident.
- Plaintiff has propounded discovery on Defendants by way of Plaintiff's Requests for Admissions, Requests for Production of Documents and Interrogatories.
- Defendants have propounded discovery on Plaintiff by way of Requests for Admissions, Requests for Production of Documents and Interrogatories.

b. Discovery that remains to be completed:

Additional time is needed for Plaintiff to take the deposition of the FRCP 30(b)(6) designee for Defendant along with pertinent witness depositions; Defendant needs to take the deposition of Plaintiff; disclosure of expert witnesses and depositions of expert witnesses. Additional written discovery to Plaintiff and Defendant as deemed necessary following the remaining depositions. Additionally, the deposition of Plaintiff needs to be scheduled.

c. Reasons why discovery was not completed: The parties' current Discovery Plan

and Scheduling Order does not allow enough time to conduct further discovery due to the scheduling conflicts that have not allowed for the noticing of Defendant's FRCP 30(b)(6) witness(es) or Plaintiff's depositions. Additional time for discovery is necessary to avoid prejudice and to facilitate a fair and just investigation of Plaintiff's claims against Defendants. The Parties also intend to extend initial and rebuttal expert disclosures in hopes of conducting a mediation to work towards settlement following the pending depositions. Parties have begun exploring mediation in order to resolve this case prior to costly expert discovery.

d. Proposed schedule for completion of remaining discovery (extension of remaining deadlines by approximately 90 days):

	<u>Old Deadlines</u>	<u>New Deadlines</u>
Amend Pleadings or Add Parties:	January 7, 2025	---
Initial Expert Disclosure per FRCP 26(a)(2):	February 6, 2025	May 7, 2025
Rebuttal Expert Disclosure:	March 10, 2025	June 9, 2025
Close of Discovery:	April 7, 2025	July 7, 2025
Submit Dispositive Motions:	May 7, 2025	August 5, 2025
Joint Pre-Trial Order:	June 6, 2025	September 4, 2025

WHEREFORE, the parties respectfully request that this Court extend the discovery period by ninety (90) days from the current deadline as outlined in accordance with the proposed dates above.

DATED this 22nd of January, 2025.

DATED this 22nd of January, 2025.

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BURGER MEYER & D'ANGELO LLP

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Attorneys for Defendants

Case No.: 2:24-cv-01714-APG-EJY
STIPULATION AND ORDER TO EXTEND DISCOVERY DEADLINES
[FIRST REQUEST]

IT IS SO ORDERED:

	<u>Old Deadlines</u>	<u>New Deadlines</u>
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 UNITED STATES MAGISTRATE JUDGE

January 22, 2025
 DATE